

Massachusetts State Board of Electricians
Regular Meeting Minutes
September 26, 2016
Held at 1000 Washington Street Room 1D, Boston, MA
Boston, MA 02118

Board of State Examiners of Electricians convened its regular board meeting. Items listed in order of consideration.

1) The meeting was called to order by the Vice Chair at 10 A.M.

The following Board members were present:

Peter Senopoulos, Fire Marshal Designee, Chair
Kathleen Guinee, Systems Contractor Member (Vice Chair)
Gerald Graham, Inspector of Wires Member
Steven LeVangie, Electrical Contractor Member
Ellen Dorian, Public Member
Ryan Toland, Master Electrician Member
David Edmonds, Dept of Elementary and Secondary Education Designee
James Meehan, International Municipal Signalman Association Member
Thomas Leahy, Systems Technician Member

The following Board members were absent: (none)

The following members of the DPL Staff were present:

Robert Ferguson, Exec. Director
Tamara Smith, Program Coordinator
Charles Kilb, Board Counsel
Richard Paris, Investigator

2) The Board considered the minutes from the meeting of August 22, 2016.

A motion was made by Mr. Edmonds and seconded by Ms. Guinee and it was so unanimously

Voted: To approve the minutes as presented

3) Sanction was given by the signatures of the Board Members present to the issuance of licenses by Reciprocity, as a result of Board Action on August 22, 2016 in accordance with the following schedule:

Master

Journeyman

James M. Cole
Josh M. Danforth
Keith K. LaBrecque
Manuel E. Mejia
Randy M. Meldrum
Robert B. Nichols
Jeffrey S. Roper

Stephen T. Soterakopoulos
Nicholas D. Spencer

A motion was made by Mr. Edmonds and seconded by Mr. Toland and it was so unanimously
Voted: To ratify the sanctions as presented

- 4) The chair announced that the next scheduled Board meeting will be on October 24, 2016.
- 5) Final review and vote on regulations changes proposed pursuant to E.O. 562. Legal Counsel presented the Board's regulation changes, which were subject to a public hearing the previous month. Mr. LeVangie advocated the Board commence a line by line review of 237 CMR 16.00 as he was concerned some of its provisions could be subject to abuse. It was noted that 237 CMR 16.00 was the subject of several Board and subcommittee reviews previously. The chair then requested a motion:

A motion was made by Mr. Edmonds and seconded by Ms. Guinee to accept the regulation amendments as presented with legal counsel able to make any non-substantive changes necessary, such as fixing grammar and typographical errors. The chair asked if there was any further discussion, a motion was then made by Mr. LeVangie to amend Mr. Edmonds' motion to not include 237 CMR 16.00. The motion by Mr. LeVangie was not seconded.

The chair then asked for a vote on Mr. Edmond's original motion.
Vote:

In favor: 7, Against: 1, Abstained: 1

The Chair exercised his authority to note for the record that he abstained

- 6) The Board considered recommendations for the issuance of the following licenses by reciprocity with New Hampshire

Austin M. Belcik, Journeyman
Eric D. Bulgajewski, Journeyman
James A. LeBrecque, Journeyman
Andrew D. Spath, Journeyman

A motion was made by Mr. Edmonds and seconded by Mr. Toland and it was so unanimously
Voted: To grant the listed reciprocal licenses.

- 7) The Board considered Corporate and individual license changes submitted to the Board office:

Removals

Christopher P. Anastasi
(Anastasi Electric Corporation)

Peter A. Burgess
(Innovative Electrical Systems Inc)

Joseph A. Busch
(Borrego Solar Systems Inc)

Jeffrey L. Henley
(Heidrea Electrical & Telecom LLC)

Thomas Lamoureux
(Gem Plumbing & Heating Services Inc)

Additions

Borrego Solar Systems Inc
(Joseph J. Distefano)

Jason P. Morrissette
Morrissette & Son Electrical Contractors Inc.

Commonwealth Power Group Inc
(Christopher P. Anastasi)

Joshua M. Ponte
The Ockers Company

Eire Electric LLC
(Michael J. MacKinnon)

Benjamin K. Hubbard
Powercare LLC

Electrical Builders of Massachusetts LLC
(Tomas J. Ruiz)

Richard A. Mahoney
Professional Power Services

Gem Plumbing & Heating Services Inc
(Ronald Silvia)

Robert A. Piquette
Re-Comm Electric Inc

Henley Electric LLC
(Jeffrey L. Henley)

Steven A. Dubois
Right Way Electric Inc

Matrix Electrical Contracting Inc
Angel M. Martinez

Anthony G. Stamatouras
Stamatouras Electric Co. Inc

Michael J. Kiley
MJK Electric LLC

A motion was made by Mr. Edmonds and seconded by Ms. Guinee and it was so unanimously
Voted: To approve the applications as presented

8) Reports

- August Exam License issuances

Journeyman	111
Master	29
Systems Technician	9
Systems Contractor	1

- Legislative update – Counsel stated briefly that any current bills could be considered in informal session, however formal sessions have ended for the season, thus generally nothing controversial would be expected to pass.

9) An agenda item provided for an update by Chief Investigator Christopher Carroll, however there was nothing to report, no action was taken.

10) Report on Subcommittees

- a) Reciprocity subcommittee meeting of September 22, 2016. Mr. Graham reported that the subcommittee reviewed the draft agreement with NH and recommended a full Board approval as presented. Counsel noted that the draft was largely identical to the historical agreement other than clarifications on the master licensee education and how to handle present and former licensees of Massachusetts who may try to use the NH reciprocity agreement to avoid Massachusetts requirements.

A motion was made by Mr. Edmonds and seconded by Ms. Guinee and it was so unanimously

Voted: To approve the drafted agreement

Counsel passed around a clean version of the agreement which each member signed.

- b) Mr. Edmonds requested the chair ask for new members for the Education subcommittee. Mr. Leahy was selected and Mr. Graham as an alternate.

The Board went to item 14

11) Board of Appeals(M.G.L. c. 143, §3P and c. 30A, §18)

11:32 AM A motion was made by Ms. Guinee and seconded by Mr. Toland and it was unanimously

Voted: To enter the Board of Appeals

- a) BEA-16-291 Wicks v Lanesborough Inspector Kynsh – appeal withdrawn

- b) BEA-16-292 Ledoux v Seekonk Inspector Medeiros

12:15 PM A motion was made by Mr. Graham and seconded by Ms. Guinee and it was so unanimously

Voted: To enter deliberations on the motion to dismiss

On exiting deliberations, A motion was made by Mr. Toland and seconded by Mr. LeVangie and it was so unanimously

Voted: To deny the motion to dismiss

12:37 PM A motion was made by Mr. Edmonds and seconded by Mr. LeVangie and it was so unanimously

Voted: To enter deliberations on the decision of the inspector

On exiting deliberations, A motion was made by Ms. Guinee and seconded by Mr. LeVangie and it was so unanimously

Voted: To reverse the decision of the Inspector. A written decision will be sent to the parties within 45 days.

- c) BEA-16-293 Response Electric v Webster Inspector Nolle – Continued

12) Executive Session (closed to public)

At 12:45 P.M. the Chair announced that the next agenda item would require the Board to close the open session and enter executive session per M.G.L. c. 30A, s. 21 to discuss an individual's character, rather than competence. The Chair estimated that the Board would be in Executive Session for approximately one hour.

A motion was made by Mr. Leahy and seconded by Mr. Edmonds and this motion was approved by roll call vote: To enter into Executive Session (Separate Minutes maintained)

In favor: Gerald Graham, Kathleen Guinee, David Edmonds, Ryan Toland, Ellen Dorian, James Meehan, Steven LeVangie, Peter Senopoulos, Thomas Leahy

Opposed: None

Abstained: None

Recused: None

1:25 P.M. the Board exited Executive Session and recessed for lunch

Mr. Meehan departed the meeting

1:55 PM the Board reconvened and went to item 15

13) Investigative conference

At 2:01 P.M. A motion was made by Mr. Edmonds and seconded by Mr. LeVangie and it was so unanimously

Voted: To enter investigative conference

a) Board Review for decision

- (i) EL-16-000177– Dismiss w/o prejudice
- (ii) EL-16-000254- forward for prosecution
- (iii) EL-16-000255- forward for prosecution
- (iv) EL-16-000398- forward for prosecution
- (v) EL-16-000401– Dismiss w/o prejudice
- (vi) EL-17-000470– forward for prosecution
- (vii) EL-17-000439- forward for prosecution
- (viii) EL-17-000449– forward for prosecution

b) Tabled - Prosecutors matters :

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At 2:28 P.M. the Board exited Investigative conference and went to item 16

14) Matters not reasonably anticipated by the chair

- The Executive Director stated that member Paul Cormier submitted his resignation.

A motion was made by Ms. Guinee and seconded by Mr. Edmonds and it was so unanimously

Voted: To recognize and acknowledge Mr. Cormier thanking him
for his time and service on the Board

- At the discretion of the chair Gloria Craven requested that the Board consider scheduling a meeting to facilitate discussion on the issues formulated at the open hearing by various MSCA members and others.

A motion was made by Mr. and seconded by Ms. Dorian and it was so unanimously

Voted: To allow the Board's subcommittees to discuss any issues brought out from the public hearing.

The Board returned to item 11

15) Quasi-Judicial session

1:55 P.M. the Board entered Quasi-judicial session.

a) EL-13-041

A motion was made by Mr. Edmonds and seconded by Ms. Guinee and it was so unanimously

Voted: To issue the final decision and order

2 PM the Board exited Quasi-judicial and returned to item 13

16) The Chair requested a motion to adjourn the meeting.

A motion was made by Ms. Guinee and seconded by Mr. Graham and it was so unanimously

Voted: To adjourn the meeting at 2:29 P.M.

A true copy.

ATTEST: _____
Robert Ferguson Esq., Executive Director

Date

List of Documents used at the meeting

1. Meeting agenda
2. Draft minutes from August 22, 2016 meeting.
3. Proposed NH Reciprocity agreement